

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION**

CLARISSA NAVARRO,)	
)	
Plaintiff,)	
vs.)	Civil Action File No.
)	0:22-cv-60387-WPD
RECEIVABLES MANAGEMENT PARTNERS,)	
LLC d/b/a RMP SERVICES LLC,)	
)	
Defendant.)	
_____)	

DEFENDANT’S ANSWER TO AMENDED CLASS ACTION COMPLAINT

COMES NOW, Receivables Management Partners, LLC, Defendant in the above-referenced action (hereinafter “Defendant”), and files this Answer in response to the Plaintiff’s Amended Complaint as follows:

FIRST DEFENSE

Plaintiff’s Amended Complaint fails to state a claim against Defendant upon which relief may be granted.

SECOND DEFENSE

Any act or omission by Defendant, if determined to be in violation of the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. § 1692 *et seq.*, was not intentional and was the result of a *bona fide* error notwithstanding the maintenance of procedures reasonably adapted to avoid any such error. Defendant maintains policies and procedures regarding a consumer telling Defendant to cease calling and how such accounts are coded. If any error occurred, such error was a coding error in failing to properly notate a cease calling request. Accordingly, Defendant would have no liability pursuant to 15 U.S.C. § 1692k(c).

Subject to the foregoing defenses and without waiving same, Defendant responds to the individually numbered paragraphs of Plaintiff's Amended Complaint as follows:

JURISDICTION AND VENUE

1. The allegations contained in Paragraph 1 of the Amended Complaint relate to legal conclusions to which Defendant is under no known obligation to respond. To the extent that any response is required; denied.
2. The allegations contained in Paragraph 2 of the Amended Complaint relate to legal conclusions to which Defendant is under no known obligation to respond. To the extent that any response is required; denied.

PARTIES

3. Defendant admits that Plaintiff is a natural person. Defendant lacks knowledge or information sufficient to form a belief as to the remaining allegations contained in Paragraph 3 of the Plaintiff's Amended Complaint.
4. Defendant admits the allegations contained in Paragraph 4 of the Plaintiff's Amended Complaint.

DEMAND FOR JURY TRIAL

5. Defendant denies, to the extent it can, the allegations contained in Paragraph 5 of the Plaintiff's Amended Complaint.

FACTUAL ALLEGATIONS

6. Defendant lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 6 of the Plaintiff's Amended Complaint.
7. Defendant lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 7 of the Plaintiff's Amended Complaint.

8. Defendant lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 8 of the Plaintiff's Amended Complaint.
9. The allegations contained in Paragraph 9 of the Plaintiff's Amended Complaint relate to legal conclusions to which Defendant is under no known obligation to respond. To the extent that any response is required; denied.
10. The allegations contained in Paragraph 10 of the Plaintiff's Amended Complaint relate to legal conclusions to which Defendant is under no known obligation to respond. To the extent that any response is required; denied.
11. Defendant admits the allegations contained in Paragraph 11 of the Plaintiff's Amended Complaint.
12. Defendant admits the allegations contained in Paragraph 12 of the Plaintiff's Amended Complaint.
13. Defendant admits the allegations contained in Paragraph 13 of the Plaintiff's Amended Complaint.
14. Defendant admits that it complies with the requirements of Rule 69V-180.080, Florida Administrative Code. Defendant lacks knowledge or information sufficient to form a belief as to any remaining allegations contained in Paragraph 14 of the Plaintiff's Amended Complaint.
15. Defendant admits that it complies with the requirements of Rule 69V-180.080, Florida Administrative Code. Defendant lacks knowledge or information sufficient to form a belief as to any remaining allegations contained in Paragraph 15 of the Plaintiff's Amended Complaint.

16. Defendant admits that it complies with the requirements of Rule 69V-180.080, Florida Administrative Code. Defendant lacks knowledge or information sufficient to form a belief as to any remaining allegations contained in Paragraph 16 of the Plaintiff's Amended Complaint.
17. Defendant admits that it complies with the requirements of Rule 69V-180.080, Florida Administrative Code. Defendant lacks knowledge or information sufficient to form a belief as to any remaining allegations contained in Paragraph 17 of the Plaintiff's Amended Complaint.
18. The allegations contained in Paragraph 18 of the Plaintiff's Amended Complaint relate to legal conclusions to which Defendant is under no known obligation to respond. To the extent that any response is required; denied.
19. The allegations contained in Paragraph 19 of the Plaintiff's Amended Complaint relate to legal conclusions to which Defendant is under no known obligation to respond. To the extent that any response is required; denied.
20. Defendant denies the allegations contained in Paragraph 20 of the Plaintiff's Amended Complaint.
21. Defendant denies the allegations contained in Paragraph 21 of the Plaintiff's Amended Complaint.
22. Defendant denies the allegations contained in Paragraph 22 of the Plaintiff's Amended Complaint.

CLASS ALLEGATIONS

Proposed Class

23. Defendant denies the allegations contained in Paragraph 23 of the Plaintiff's Amended Complaint.

24. Defendant denies the allegations contained in Paragraph 24 of the Plaintiff's Amended Complaint.

25. Defendant denies the allegations contained in Paragraph 25 of the Plaintiff's Amended Complaint.

26. Defendant denies the allegations contained in Paragraph 26 of the Plaintiff's Amended Complaint.

Numerosity

27. Defendant denies the allegations contained in Paragraph 27 of the Plaintiff's Amended Complaint.

28. Defendant denies the allegations contained in Paragraph 28 of the Plaintiff's Amended Complaint.

Common Questions of Law and Fact

29. Defendant denies the allegations contained in Paragraph 29 of the Plaintiff's Amended Complaint.

30. Defendant denies the allegations contained in Paragraph 30 of the Plaintiff's Amended Complaint.

Typicality

31. Defendant denies the allegations contained in Paragraph 31 of the Plaintiff's Amended Complaint.

Protecting the Interests of the Class Members

32. Defendant denies the allegations contained in Paragraph 32 of the Plaintiff's Amended Complaint.

Superiority

33. Defendant denies the allegations contained in Paragraph 33 of the Plaintiff's Amended Complaint.

34. Defendant denies the allegations contained in Paragraph 34 of the Plaintiff's Amended Complaint.

COUNT 1
VIOLATION OF 15 U.S.C. § 1692d

35. Defendant incorporates by reference the above paragraphs of this Answer as if fully stated therein.

36. The allegations contained in Paragraph 36 of the Plaintiff's Amended Complaint relate to legal conclusions to which Defendant is under no known obligation to respond. To the extent that any response is required; denied.

37. The allegations contained in Paragraph 37 of the Plaintiff's Amended Complaint relate to legal conclusions to which Defendant is under no known obligation to respond. To the extent that any response is required; denied.

38. The allegations contained in Paragraph 38 of the Plaintiff's Amended Complaint relate to legal conclusions to which Defendant is under no known obligation to respond. To the extent that any response is required; denied.

39. The allegations contained in Paragraph 39 of the Plaintiff's Amended Complaint relate to legal conclusions to which Defendant is under no known obligation to respond. To the extent that any response is required; denied.

40. The allegations contained in Paragraph 40 of the Plaintiff's Amended Complaint relate to legal conclusions to which Defendant is under no known obligation to respond. To the extent that any response is required; denied.
41. The allegations contained in Paragraph 41 of the Plaintiff's Amended Complaint relate to legal conclusions to which Defendant is under no known obligation to respond. To the extent that any response is required; denied.
42. The allegations contained in Paragraph 42 of the Plaintiff's Amended Complaint relate to legal conclusions to which Defendant is under no known obligation to respond. To the extent that any response is required; denied.
43. Defendant admits placing a telephone call to Plaintiff on January 7, 2022. Defendant denies the remaining allegations contained in Paragraph 43 of the Plaintiff's Amended Complaint.
44. The allegations contained in Paragraph 44 of the Plaintiff's Amended Complaint relate to legal conclusions to which Defendant is under no known obligation to respond. To the extent that any response is required; denied.
45. Defendant denies the allegations contained in Paragraph 45 of the Plaintiff's Amended Complaint.
46. Defendant denies the allegations contained in Paragraph 46 of the Plaintiff's Amended Complaint.
47. Defendant denies all remaining allegations contained in Plaintiff's Complaint not specifically admitted herein.

WHEREFORE, Defendant prays that Defendant be dismissed with prejudice; that judgment be granted to Defendant and that the relief requested by Plaintiff be denied; that all costs be taxed to Plaintiff; and for such other and further relief as the Court deems just and proper.

Respectfully submitted this 25th day of March 2022.

BEDARD LAW GROUP, P.C.

/s/ Jonathan K. Aust
Jonathan K. Aust
Florida Bar No. 1033458
Counsel for Defendant

4855 River Green Parkway
Suite 310
Duluth, Georgia 30096
Telephone: (678) 253-1871
jaust@bedlawgroup.com

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION**

CLARISSA NAVARRO,)	
)	
Plaintiff,)	
vs.)	Civil Action File No.
)	0:22-cv-60387-WPD
RECEIVABLES MANAGEMENT PARTNERS,)	
LLC d/b/a RMP SERVICES LLC,)	
)	
Defendant.)	
_____)	

CERTIFICATE OF SERVICE

I hereby certify that on this date I electronically filed Defendant's Answer Amended Complaint with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorney of record:

Thomas J. Patti
tom@jibraellaw.com

Jibrael S. Hindi
jibrael@jibraellaw.com

Respectfully submitted this 25th day of March 2022.

BEDARD LAW GROUP, P.C.

/s/ Jonathan K. Aust
Jonathan K. Aust
Florida Bar No. 1033458
Counsel for Defendant

4855 River Green Parkway
Suite 310
Duluth, Georgia 30096
Telephone: (678) 253-1871
jaust@bedlawgroup.com